

**KILPATRICK
STOCKTON LLP**
Attorneys at Law

RECEIVED
CENTRAL FAX CENTER
SEP 14 2004
Suite 2800 1100 Peachtree St.
Atlanta GA 30309-4530
404 815 6500 f 404 815 6555
www.KilpatrickStockton.com

September 14, 2004

direct dial 404 815 6389
direct fax 404 541 3254
KDoyle@KilpatrickStockton.com

FAX

RECIPIENT/ PHONE NO.	FAX NO.	COMPANY/ CITY, STATE, COUNTRY
Central Fax	703-872-9306	U.S. Patent and Trademark Office Alexandria, VA

Kristin J. Doyle
FROM

13
PAGES (WITH COVER)

7326
REFERENCE NO

V0028/258606
CLIENT/MATTER NO.

PLEASE CALL 404 815 6497 IF YOU HAVE DIFFICULTY WITH THIS TRANSMISSION.

CONFIDENTIALITY NOTE:

The information contained in this fax message is being transmitted to and is intended for the use of the individual named above. If the reader of this message is not the intended recipient, you are hereby advised that any dissemination, distribution or copy of this fax is strictly prohibited. If you have received this fax in error, please immediately notify us by telephone and destroy this fax message.

COMMENTS

The U.S. Patent and Trademark Office is asked to acknowledge receipt of the following:

1. Transmittal Form (PTO/SB/21)
2. Response to Notice of Non-Compliant Amendment

Applicant: Esbroeck et al. Title: Adding an Additive to a Meat Product

Serial No. 09/865,180 Docket No. V0028/258606

Filed May 24, 2001

TO BE COMPLETED BY KS OPERATIONS CENTER

TRANSMISSION RECEIPT DATE/TIME: _____

COMPLETED BY: _____

JOB CODE

65394

" 9/16/04

PTO/SB/21 (04-04)

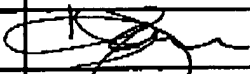
Approved for use through 07/31/2006. OMB 0851-0031

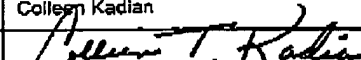
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/865,180
	Filing Date	May 24, 2001
	First Named Inventor	M.E.T. van ESBROECK et al.
	Art Unit	1761
	Examiner Name	S. Weinstein
Total Number of Pages in This Submission	Attorney Docket Number	V0028/258606

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Kristin L. Johnson, Reg. No. 44,807 Kilpatrick Stockton LLP
Signature	
Date	September 14, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Colleen Kadian	Date	September 14, 2004
Signature			

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Maurice Eduardus Theodorus van Esbroeck, et al.
Serial No.: 09/865,180 Art Unit: 1761
Filed: May 24, 2001 Examiner: S. Weinstein
For: ADDING AN ADDITIVE TO A MEAT PRODUCT

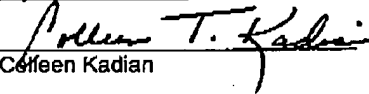
RECEIVED
CENTRAL FAX CENTER
SEP 14 2004

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attorney Docket No. V0028/258606

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this document and all documents referred to as enclosed are being facsimile transmitted to the U.S. Patent and Trademark Office Central Fax No.: 703-872-9306 on September 14, 2004.


Colleen Kadian

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Sir:

This paper responds to the Notice of Non-Compliant Amendment mailed September 3, 2004 in the above-identified patent application.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 10 of this paper.